

SAMPLE CONSTRUCTION
DOCUMENT

GH A CONSTRUCTION REPORTS

As of April 22, 2003

FILE NAMES

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2CONS.PRO A FILE THAT BEGINS GH A is pleased to submit this proposal

GUSTAV HENINGBURG ASSOCIATES, INC. (GHA),
is a 100% minority owned management
consulting firm specializing in areas
of communications, public policy development,
construction industry affirmative action programs,
minority business development and conflict resolution.

This proposal is submitted to
Rutgers-Newark College of Arts & Sciences
by the CONSTRUCTION DIVISION of
GUSTAV HENINGBURG ASSOCIATES.

GUSTAV HENINGBURG ASSOCIATES, INC. (GHA), is a 100% minority-owned management consulting firm specializing in areas of communications, public and governmental relations, public policy development, construction industry affirmative action programs, minority business development and conflict resolution.

This proposal is submitted by the Construction Division of Gustav Heningburg Associates (GHA) to Rutgers Universty re: the construction of the CENTER FOR LAW & JUSTICE.

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GUSTAV HENINGBURG ASSOCIATES is pleased to submit this proposal to RUTGERS-NEWARK COLLEGE of ARTS and SCIENCES. We encourage you to contact past clients, and will be happy to provide names, addresses and phone numbers on request.

If there are any questions, please do not hesitate to contact us.

ABOUT GUSTAV HENINGBURG ASSOCIATES

CONSTRUCTION DIVISION

Gustav Heningburg Associates, Inc. (GHA), is a 100% minority owned firm incorporated in the State of New Jersey and located in Suite 700, 40 Clinton Street, Newark, New Jersey 07102.

GHA Construction Division provides professional management consulting services and training in all matters relating to the utilization of minority workers, contractors, vendors, suppliers and administrators in the construction industry. Its principals enjoy more than 60 cumulative years of experience in affirmative action matters related to the construction industry.

GHA is certified as a bona-fide minority firm by the State of New Jersey, the New York-New Jersey Minority Purchasing Council, New Jersey Transit Corporation, the City of Newark Minority Contractors and Craftsmen's Trade Association, and the Port Authority of New York-New Jersey.

GHA was the first firm certified by the State of New Jersey Affirmative Action Office as an outreach, classification and referral source for minority construction workers, pursuant to PL. 1975, Ch. 127.

BACKGROUND

In the early 1970s, major confrontations erupted in the Greater Newark area concerning the issue of the historic exclusionary of minority contractors and workers from employment training and business opportunities in the construction industry.

These problems occurred in Newark at approximately the same time that the U.S. Department of Labor (USDOL) initiated the "Philadelphia Plan" in the City of Brotherly Love. Newark business, community and political leaders requested that USDOL establish a similar program here. Following several months of negotiations, the Office of Federal Contract Compliance Programs (OFCCP) held hearings in the Federal Building in Newark to determine if the allegations of racial discrimination in the construction industry were valid.

The public hearings produced a finding by OFCCP that a "clear pattern of racial discrimination and exclusion" existed in construction industry practices in this area.

During this period, several construction projects were shut down by protests, and others not permitted to begin on schedule. Law suits were initiated, picketing and protest demonstrations took place. The problem reached such proportions that then Governor Cahill, the chairman of the Greater Newark Chamber of Commerce and the Executive Director of the Port Authority of New York-New Jersey met with the U.S. Attorney General to solicit federal assistance in addressing the pervasive exclusion policies practiced by the construction industry. This meeting resulted in the Consent Decrees being negotiated between the U.S. Department of Justice and several of the Essex County construction unions.

Subsequently serious concern by the political, business, minority, religious and civic leadership in New Jersey resulted in the development of a series of public policies designed to

overcome these problems. Agreements were negotiated, state laws and local ordinances were enacted. The City of Newark Affirmative Action plan, which evolved from this conflict, was hailed by many as the most effective construction affirmative-action plan in the country at the time.

Among the major construction projects impacted by the creation of the Newark Plan were the Essex County College Megastructure, Newark International Airport, the University of Medicine and Dentistry of New Jersey, all construction of low-income subsidized housing in Newark the water treatment facilities of the Passaic Valley Sewerage Commission, Giants Stadium, the Meadowlands Race Track and many others.

The original Newark Plan required okay that a percentage of the hours worked by craftsmen on all projects enjoying public financing or tax abatement be performed by minorities. Subsequently, however, the federal government and the City of Newark have adopted policies requiring minority business enterprise (MBE) participation as well. In addition, the Port Authority of New York-New Jersey has adopted policies requiring minority worker and MBE participation on its construction projects. Minority worker requirements now also apply on most projects funded by the State of New Jersey, as well as those which received financial assistance from the New Jersey Economic Development Authority (NJEDA).

In summary, at virtually every level of local, county, state and federal government, as well as in the area of publicly created independent Authorities, it has become routine public policy to mandate MBE and/or minority worker participation. The policy applies whether the use of public funds is direct (direct public financing or loans) ...or indirect... (tax-abatement). Such

policies also apply in most public-private sector cooperative efforts, such as Renaissance Newark, and those assisted by the Newark Economic Development Corporation.

Despite this decade of minority participation in publicly funded or assisted construction activity, resistance at many levels the construction industry still remains. Often, the achievement of the goals remains a complex task. Problems of bonding, financing and union negotiations still pose fundamental problems for minority contractors.

It is in the context of this history that Gustav Henningburg Associates, (GHA), established its construction division to help public and private sector clients comply with the public policy mandates for equitable minority business and worker participation, without disrupting the financial feasibility of the projects themselves.

SERVICES PROVIDED

GHA's Construction Division personnel enjoy more than 60 years of cumulative successful experience in the complex task of assuring appropriate minority participation in construction projects. We are familiar with construction industry practices, applicable affirmative action laws, regulations and procedure and with the public agency staff personnel who have the responsibility for implementing these policies.

We enjoy a comprehensive knowledge of the availability and capabilities of the construction-related minority business firms in this area. GHA also maintains contacts and communication with construction union officials.

This extensive background permits GHA to offer the following services in construction activity where minority participation is desired.

MINORITY BUSINESS/CONTRACTOR PARTICIPATION

- A. Design and implement realistic program to assure that MBE goals can be achieved.
- B. Prepare the appropriate language regarding affirmative action for inclusion in the General Bid Conditions for all contractors relating to the project.
- C. Once the General Contractor/Construction Manager has been selected, GHA will assist in identifying those portions of the work which can be accomplished by competent and certified minority contractors in this region.

- D. Develop standard operating procedures to be used i the bid process to assure appropriate minority opportunity.
- E. Provide information and technical assistance...where needed .. to MBEs in areas of bid estimating, cost control analysis, financial projects, and other administrative and management skills as required
- F Identify non contractor MBES who provide construction-related services or products (security, trucking, banking, food services, etc.), and assure that the are provided the opportunity to compete for work related to the project.

MINORITY CRAFTSMEN PARTICIPATION

- A. Design and implement programs to assure that the requirements that 32% of the man hours worked, by trade, will be successfully carried out, as required by affirmative action policies of the State of New Jersey.
- B Assist the GC/Construction Manager and all subcontractors in achieving the 32% craftsmen goals by meeting with all Business Agents of the Essex County Building Trades Council to encourage their cooperation in referring minority workers as required.
- C. to establish procedures to be followed by contractors, worker and the unions in the event the traditional referral sources ar unable to provide sufficient minority personnel.

- D. to serve as an alternative referral source, if necessary, to all minority and non-minority contractors.
- E Prepare all reports required regarding minority worker participation

REPORTING

GHA has developed computer programs specifically for the purpose of reporting minority worker participation on construction projects.

These reports are prepared monthly, showing total hours worked, by contractor and by trade; minority hours by contractor and by trade, and wages earned by minority workers.

KEY GHA CONSTRUCTION DIVISION PERSONNEL

Gustav Henningburg

Gus Henningburg is the founder and president of GHA. In addition to the broad experience reflected in the enclosed resume, he enjoys the following specialized construction affirmative action experience.

Served as prime architect for the development and implementation of Newark construction affirmative action plans. Consultant to the Mayor and Municipal Council of the City of Newark in preparation of the Newark Affirmative Action Ordinances.

Chairman of the committee appointed by the County Executive, Peter Shapiro, to study the County's affirmative action programs. All recommendations from the Committee have been adopted as County policy.

Consultant to the legislative sponsors of the State Affirmative Action Law (PL 1975, Ch. 127).

Negotiated and implemented affirmative action agreements for the construction of Newark International Airport; Essex County College Megastructure; University of Medicine and Dentistry of New Jersey, Meadowlands Race Track and Stadium; Passaic Valley Sewerage Commission.

Chaired Black and Puerto Rican Construction Coalition; the Gateway-Newark Airport Action Coalition; Charter Member of the City of Newark Affirmative Action Review Council.

Chaired the Council for Airport Opportunity, created by the Port Authority of New York-New Jersey to assure minority opportunities at the three airports serving the metropolitan New York region.

Served as Chairman of the Newark Construction Trades Training Corporation (1972-1979).

Consultant to Foster-Wheeler Energy Corporation regarding minority participation in construction of coal-gasification plant in Memphis, Tennessee.

Consultant to the Port authority of New York-New Jersey on minority construction and other affirmative action matters.

Consultant to the Marriott Hotel Corporation to assure appropriate minority contractor and craftsmen participation in the construction of the Marriott Hotel at Newark International Airport.

Consultant to the State of New Jersey and City of Camden regarding

minority participation in the construction of the Camden prison.

Consultant to Essex County college to assure minority participation in its Phase II construction activities.

Consultant to PEOPLExpress Airlines regrading minority participation in re-construction of Terminal C at Newark International Airport.

Consultant to University of Medicine & Dentistry of New Jersey regarding minority participation in construction of new parking garage and faculty-practice building.

Consultant to American Ref-Fuel Corporation re: the construction of the Essex Resource Recovery Facility.

HIGHLIGHTS

Heningburg was the prime architect in the creation and development of the "Newark Plan," the most effective construction affirmative action program in America. This plan became the model for the program adopted by the State of New Jersey.

Minority business and worker goals have been met or exceeded on EVERY project on which HA has served as construction affirmative action consultant.

GHA served as affirmative action consultant on the two projects in New Jersey which achieved the highest minority contractor and worker participation in the history of the State:

<u>Project</u>	<u>MBE Participation</u>
Terminal C Newark International Airport	\$16 million
Essex County Resource Recovery Facility	\$22 million

GUSTAV HENINGBURG ASSOCIATES, INC.,

CONSTRUCTION DIVISION

CLIENT LISTING

State of N.J. Division of Building & Construction
Camden Prison - Camden, NJ

Essex County College - Athletic Facility - Newark, NJ

Essex County College - Renovation West Essex Extension Center
Wet Caldwell, NJ

Foster Wheeler Energy Corp. - Synthetic Fuels Plant, Memphis, TN

Marriott Hotel Corp. - Construction of Airport Hotel - Newark, NJ

PEOPLExpress Airlines - Completion of Terminal C
Newark International Airport

University of Medicine & Dentistry of NJ - Camden Facility
University of Medicine & Dentistry of NJ - Newark Facility
University of Medicine & Dentistry of NJ - Piscataway Facility

Krementz Company - Construction of new corporate headquarters
Newark, NJ

American Ref-Fuel Corp. - Construction of the Essex County
Resource Recovery Facility - Newark, NJ

Port Authority of New York-New Jersey - General Affirmative Action
Consultant